

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE ENROLLED ACT No. 1725

AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 13-17-14-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The board shall adopt rules under IC 4-22-2 and IC 13-14-9 to implement this chapter. The rules must contain at least the elements required to receive program authorization under 40 CFR 76, Subpart L and must do the following:

- (1) Establish minimum requirements for the issuance of a license for lead-based paint activities inspectors, risk assessors, project designers, supervisors, abatement workers, and contractors.
- (2) Establish minimum requirements for approval of the providers of lead-based paint activities training courses.
- (3) Establish minimum qualifications for lead-based paint activities training course instructors.
- (4) Extend the applicability of the licensing requirements to other facilities as determined necessary by the board.
- (5) Establish work practice standards.
- (6) Establish a department or third-party examination process.
- (7) Identify activities, if any, that are exempted from licensing requirements.
- (8) Establish a fee of not more than one hundred fifty dollars (\$150) per person, per license, per year for a person seeking a

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license under section 3 of this chapter. **However, the following may not be required to pay a fee established under this subdivision:**

(A) A state.

(B) A municipal corporation (as defined in IC 36-1-2-10).

(C) A unit (as defined in IC 36-1-2-23).

(9) Establish a fee of not more than one thousand dollars (\$1,000) per course, per year, for a lead-based paint training program seeking approval of a lead-based paint training course under section 4 of this chapter. **However, the following may not be required to pay a fee established under this subdivision:**

(A) A state.

(B) A municipal corporation (as defined in IC 36-1-2-10).

(C) A unit (as defined in IC 36-1-2-23).

(D) An organization exempt from income taxation under 26 U.S.C. 501(a).

(b) The amount of the fees under subsection (a) may not be more than is necessary to recover the cost of administering this chapter.

(c) The proceeds of the fees under subsection (a) must be deposited in the lead trust fund established by section 6 of this chapter.

SECTION 2. An emergency is declared for this act.

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